

HOUSE OF REPRESENTATIVES

Lifelong Learning Council

**Representative Jerry Melvin, Chair
Representative Frederica Wilson, Vice Chair**

2002 SUMMARY OF PASSED LEGISLATION



Colleges & Universities Committee

**Representative Bev Kilmer, Chair
Representative Dennis Baxley, Vice Chair**

Education Innovation Committee

**Representative Renier Diaz de la Portilla, Chair
Representative Frank Attkisson, Vice Chair**

General Education Committee

**Representative Heather Fiorentino, Chair
Representative Dick Kravitz, Vice Chair**

Workforce & Technical Skills Committee

**Representative Bill Andrews, Chair
Representative Dorothy Bendross-Mindingall, Vice Chair**

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Colleges & Universities Committee

CS/HB 7 – National Guard/Residency/Tuition

By Colleges & Universities; Baker

Linked Bills: None

Tied Bills: Similar CS/SB 128

Committee(s)/Council(s) of Reference: Colleges & Universities; Education
Appropriations; Council for Lifelong Learning

The bill provides that active members of the Florida National Guard who meet the requirements for the tuition assistance program established specifically for active National Guard members must be classified as residents for tuition purposes. The Department of Military Affairs administers the tuition assistance program and receives an annual appropriation for the program. The bill will allow existing appropriations to be used more effectively without increasing cost and could result in more federal funding due to increased participation in the Florida National Guard.

The bill names the act for Sergeant Larry Bowman. Sergeant Bowman was a former Army minister and Lake County resident who had recently relocated to New York City and had taken a job as a security officer in the North World Trade Center.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

CS/SB 176, 1st ENG. – Law Officer/Firefighter/Children/Education

By Appropriations; Silver

Linked Bills: None

Tied Bills: Identical CS/HB 253

Committee(s)/Council(s) of Reference: Governmental Oversight & Productivity;
Appropriations Sub on Education; Appropriations

The bill expands educational benefits for children of law enforcement officers, correctional officers, correctional probation officers, or firefighters killed in the line of duty, beyond baccalaureate study, to include waivers for studies toward a graduate degree (a Masters or Ph.D.), or a postbaccalaureate professional degree (e.g., a medical, dental, or veterinary degree). In order to be eligible for the waivers for graduate or postbaccalaureate professional degree study, the child must be determined to be, *at the time of application*, a resident of the state for tuition purposes. Eligibility for waivers for graduate and postbaccalaureate professional degree study continues until the child's 29th birthday.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

HB 341 – University of West Florida & Florida Atlantic University/Programs

By Maygarden

Linked Bills: None

Tied Bills: Identical SB 296

Committee(s)/Council(s) of Reference: Colleges & Universities; Education
Appropriations; Council for Lifelong Learning

This bill authorizes a Bachelor of Science in Nursing degree program at UWF and a Master's in Social Work degree program at FAU. These two programs require legislative authorization before they can be implemented.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

CS/HB 353 – Universities & Community Colleges

By Colleges & Universities; Waters

Linked Bills: None

Tied Bills: Identical SB 2070

Committee(s)/Council(s) of Reference: Colleges & Universities; Rules, Ethics &
Elections; Council for Lifelong Learning

The bill establishes a student government on the main campus of each state university and authorizes the establishment of student governments on any branch campus or center. The bill requires that each student organization be organized and maintained by students and requires, at a minimum, a student body president, a legislative body, and a judiciary. The bill also requires each student government to adopt internal procedures governing the operation and administration of student government, the execution of all other duties as prescribed to the student government by law, and the suspension and removal of an elected or appointed student government officer following the conviction of that officer of a felony.

Current law provides that internal procedures of a student government must be approved by the university president. The bill provides for a review process if an internal procedure of a student government is disapproved. A member of the university board of trustees may request that any disapproved procedure be reviewed by the university board of trustees.

The bill also designates "*the student body president of the main campus*", rather than "*a student body president*", as a voting, *ex-officio* member of the board of trustees for each state university and clarifies that the Governor appoints the remaining 12 members of the 13-member board of trustees.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

CS/HB 417 – Alcoholic Bev./Students/Curriculum (Ch. Law 2002-007)

By Colleges & Universities; Prieguez; Heyman

Linked Bills: None

Tied Bills: Similar CS/SB 1176

Committee(s)/Council(s) of Reference: Colleges & Universities; Council for Smarter Government

The bill creates an exception to the Beverage Law by allowing an individual to provide an alcoholic beverage to a student who is under 21 years of age but at least 18 years of age, if the alcoholic beverage is provided as part of the student's required curriculum at a qualifying postsecondary educational institution. The bill also stipulates that alcoholic beverages can never be offered to a student for the purposes of consumption or imbibition. The alcoholic beverages must remain in the possession and control of instructional personnel who are at least 21 years of age. In addition, each participating student must agree to indemnify and hold harmless the State of Florida.

The bill also creates an exception to the prohibition against the possession of alcoholic beverages by an individual under 21 years of age by allowing a student who is at least 18 years of age to possess and taste an alcoholic beverage, if the student is doing so as part of the student's required curriculum at a qualifying postsecondary educational institution.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

SB 496 – Military/Dependent Education Benefit

By Mitchell

Linked Bills: None

Tied Bills: Similar HB 439, 1st ENG.

Committee(s)/Council(s) of Reference: Comprehensive Planning, Local & Military Affairs; Education; Appropriations Sub on Education; Appropriations

The bill adds Operation Enduring Freedom to the list of wars, conflicts, and events for which Florida provides educational benefits to children of Florida veterans. The bill provides postsecondary educational opportunity at state expense for the dependent children of certain military personnel who were Florida residents while participating in Operation Enduring Freedom, which began on October 7, 2001. In order for the dependent child to be eligible, the military personnel must have died, suffered a service-connected 100 percent total and permanent disability rating as determined by the U.S. Department of Veteran Affairs, or have been determined to have a service-connected total and permanent disability rating of 100 percent and be in receipt of disability retirement pay from any branch of the United States Armed Services.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

CS/CS/CS/HB 519, 2nd ENG. – Nursing Shortage Solution Act

**By Council for Lifelong Learning; Health & Human Services Appropriations;
Colleges & Universities; Murman; Fasano; Green; Harrell**

Linked Bills: None

Tied Bills: Compare CS/SB 1496, 1st ENG., CS/SB 1618; includes CS/HB 355, 1st ENG.

Committee(s)/Council(s) of Reference: Colleges & Universities; Education
Appropriations; Council for Lifelong Learning

The bill modifies the repayment provisions of the Nursing Student Loan Forgiveness and the Nursing Scholarship programs and simplifies the eligibility provisions of the Nursing Scholarship Program.

The bill creates the Sunshine Workforce Solutions Grant Program, which provides funding to school districts for the creation and implementation of nursing education programs in middle schools and high schools.

The bill adds a ground for denial of a license or disciplinary action. The bill provides that “failing to meet minimal standards of acceptable and prevailing nursing practice, including engaging in acts for which the licensee is not qualified by training or experience” is grounds for denial of a license or disciplinary action.

The bill extends the licensure by endorsement option to nurses currently licensed in a territory of the U.S. whose exams and requirements are “substantially equivalent” to Florida and to those who have actively practiced nursing in another state, jurisdiction, or territory for two of the preceding three years without having had his or her license acted against. The bill also extends a 60-day exemption from licensure to nurses currently licensed in another territory.

The bill modifies the provisions governing approval of nursing programs by the Board of Nursing. The bill provides an exemption from certain Board rules for nursing programs that maintain accreditation through a nursing accrediting body recognized by the United States Department of Education and maintain a student pass rate on the National Clinical Licensure Exam within a specified range. However, if an institution’s pass rate on the National Clinical Licensure Exam falls more than 10 percentage points below the national average, the Board is required to review the institution and is authorized to assist the institution back into compliance with the standard.

The bill establishes a public school volunteer health care practitioner program to provide incentives to encourage health care practitioners to provide their services, without compensation, in public schools. Health care professionals who meet certain volunteer hour requirements are eligible for waiver of the biennial license renewal fee and fulfillment of a maximum of 25 percent of the continuing education hours required for license renewal. To be eligible to participate, a health care practitioner must have a valid, active license to practice his or her profession in Florida and must submit fingerprints and have a background screening unless already provided. The bill requires each school district to bear the cost of any increase in premiums for liability protection for health care practitioners participating in the program other than those employed by the school or school district.

Subject to the Governor’s veto powers, the effective date of this bill is upon becoming law.

SB 1090 – Student Courses/Withdrawal/Military

By Meek

Linked Bills: None

Tied Bills: Similar CS/CS/HB 463

Committee(s)/Council(s) of Reference: Education

The bill requires that each district school board, community college district board of trustees, and university board of trustees establish, by rule and pursuant to guidelines of the Florida Board of Education, policies regarding currently enrolled students who are called to, or enlist in, active military service. The bill requires that the policies provide that no student enrolled in a postsecondary course or courses at an area technical center, a public community college, a public college, or a state university, suffer academic or financial penalties because he or she is performing military service.

The bill requires that each institution provide students who are called to, or enlist in, active military service two options – give the student a full refund or allow the student to complete the course or courses at a later date without penalty.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

SB 1914, 1st ENG. – Student Financial Assistance

By Klein & Others

Linked Bills: None

Tied Bills: Identical CS/HB 747

Committee(s)/Council(s) of Reference: Education; Appropriations Sub on Education; Appropriations

The bill deletes the requirement that a student be full-time to be eligible to receive a Florida Public Student Assistance Grant award. Eligibility to participate in the program is expanded to include degree-seeking students who enroll in at least six semester hours, or the equivalent, per term. The bill also provides that a student is eligible for the award for 110 percent of the number of credit hours required to complete the program in which enrolled, rather than a maximum of nine semesters of full-time enrollment.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

Education Innovation Committee

The Legislature did not pass any bills that were initially referred to the Education Innovation Committee.

General Education Committee

SB 292, 1st ENG. – High School Diploma/Korean Veterans

By Brown-Waite

Linked Bills: None

Tied Bills: Similar HB 481

Committee(s)/Council(s) of Reference: Education

This bill provides that standard high school diplomas may be awarded to honorably discharged Korean War veterans who were inducted into the United States Armed Forces prior to completing their high school graduation requirements.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

CS/HB 443, 1st ENG. – Firesafety Prevention & Control

By Council for Lifelong Learning; Barreiro

Linked Bills: None

Tied Bills: Compare CS/SB 532

Committee(s)/Council(s) of Reference: General Education; Fiscal Policy & Resources; Council for Lifelong Learning

The bill requires the State Fire Marshal in consultation with Department of Education to adopt uniform firesafety standards for educational facilities and a firesafety evaluation system to be used as alternate firesafety inspection standards for existing educational facilities. The bill requires an annual firesafety inspection of each educational facility by the local fire control district or the State Fire Marshal.

If *immediate life-threatening* deficiencies are not corrected, the local fire official must withdraw the educational facility from use until the deficiencies are corrected, subject to review by the State Fire Marshal. The bill establishes six FTE positions to be located in the Division of the State Fire Marshal and authorizes \$452,894 be appropriated from the Insurance Commissioner's Regulatory Trust Fund for the fiscal year 2002-2003.

The bill streamlines the licensing and permitting process for organizations and individuals servicing, recharging, repairing, testing, marking, inspecting, installing, or hydrotesting fire extinguishers and preengineered systems.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

CS/HB 1661, 1st ENG. – School Advisory Councils/Bylaws

By Council for Lifelong Learning; Justice

Linked Bills: None

Tied Bills: Compare CS/SB 2172, 1st ENG

Committee(s)/Council(s) of Reference: General Education; Council for Lifelong Learning

The bill requires school advisory councils (SAC) to have bylaws that establish the following: 3 day's written notice be given to all SAC members when a matter comes before the council that requires a vote; a quorum be present to vote on any matter; meetings be scheduled at times when all members can attend; members with two unexcused consecutive absences may be replaced; and minutes of the meetings be recorded. The district school board may review all proposed bylaws and must maintain a record of minutes of council meetings.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

Workforce & Technical Skills Committee

CS/CS/SB 1550, 2nd ENG. – Child Care/Home Operator Training

By Appropriations; Children & Families; Silver

Linked Bills: None

Tied Bills: Similar CS/CS/HB 1567, 1st ENG.

Committee(s)/Council(s) of Reference: Children & Families; Appropriations Sub on Education; Appropriations

CS/CS/SB 1550 requires the introductory course requirement for operators of large family child care homes and other childcare personnel to include computer technology and be articulated into community college credit in early childhood education as approved by the Articulation Coordinating Committee. The Department of Children and Families may modify the introductory childcare course to meet the requirements of articulating the course to community college credit. Successful completion of the introductory childcare course requires passage of a competency examination. Childcare personnel with a two-year degree or higher that includes six college credit hours in early childhood education, or a child development associate credential, or a waiver certificate will be exempted from certain portions of the required childcare training. The bill authorizes the creation of public-private child care sites to meet the childcare needs of public- and private-sector employees.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2002.

CS/CS/HB 1825 – Vocational Rehabilitation

By Council for Lifelong Learning; Workforce & Technical Skills; McGriff; Murman

Linked Bills: None

Tied Bills: Similar CS/SB 2206; Compare SB 1540, 1st ENG., SB 2378

Committee(s)/Council(s) of Reference: Workforce & Technical Skills; Council for Lifelong Learning

CS/CS/HB 1825 conforms organizational provisions to the transfer of the Division of Vocational Rehabilitation and the Division of Blind Services from the Department of Labor and Employment Security to the Department of Education. The bill defines terms relating to vocational rehabilitation, and requires the Division of Vocational Rehabilitation to develop a 5-year plan that prioritizes any additional initiatives, including privatization, and provides requirements for the plan. The bill requires the Division of Vocational Rehabilitation to maintain an internal system of quality assurance and be monitored for compliance with state and federal laws, rules, and regulations. The bill requires the Division of Vocational Rehabilitation to certify direct service providers and ensure that they have an internal system of quality assurance. The bill renames the Rehabilitation Advisory Council the Rehabilitation Council, revises council membership, and enhances its role and responsibilities. The bill requires the Office of Program Policy Analysis and Government Accountability to conduct a review, repeals the sections of law relating to the creation and duties of, and abolishes, the Occupational Access and Opportunity Commission.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.
